

REMARKS

Claims 1-14 and 16-35 are pending in this application, of which claims 1-5 and 22-35 have been withdrawn. By this Amendment, claims 6 and 12 are amended and claim 15 is cancelled. No new matter is added.

I. Claim Objection

The Office Action objects to claims 6 and 12 for reciting "the public call" without antecedent basis. By this Amendment, the claims are amended to overcome the objection. Applicant requests withdrawal of the objection.

II. The Claims Define Patentable Subject Matter

The Office Action rejects claims 6-21 under 35 U.S.C. § 103(a) over U.S. Patent No. 6,836,663 to Kotzin in view of U.S. Patent No. 6,646,676 to DaGraca et al. (DaGraca). Applicant respectfully traverses the rejection.

By this Amendment, claims 6 and 12 are amended to recite that the mobile terminal is adapted to put a higher priority on the signal from the remote communications equipment than any other call as recited in prior claim 15.

The claims are patentable over the applied references because (A) the alleged combination of references is improper as one of ordinary skill in the art would not have been motivated to make the alleged combination; and (B), regarding independent claims 6 and 12, the applied references fail to disclose (1) a remote communication equipment capable of transmitting the image data in a signal to the mobile terminal through one of the first and second wireless communications; and (2) "wherein the mobile terminal is adapted to put a higher priority on the signal from the remote communications equipment than any other call."

Kotzin discloses a wireless communication device 100 having a wireless interface 102 and a network interface 104 (Fig. 2). Kotzin's wireless communication device 100 is designed to solve the problem of increasing wireless traffic that threatens to overload existing

systems (Column 1, lines 29-31). Kotzin's wireless communication device 100 achieves this goal by (1) requesting network data from a proximal communications device prior to (2) requesting the data from a wide area network in the case when the data is not available from a proximate device thus avoiding some wide area network communications (column 1, lines 60-63).

DeGraca discloses a surveillance and control system 300 on a network 200. The system 300 includes digital video cameras 201 and 202 (Fig. 2; column 4, lines 30-40). Video signals can be sent over the network 200 (column 4, lines 61-62). In response to determining a security event, the system 300 can call emergency numbers (column 5, lines 16-18). The system 300 can also send camera output to a 3G enabled telephone (column 5, lines 20-23).

One of ordinary skill in the art would not have been motivated to combine the references as proposed by the Office Action. Kotzin discloses that the wireless communication device 100 is designed to (a) initially try to communicate with a proximal communication device, before (b) communicating over the wide area network. This procedure avoids wide area network communications, if possible. DeGraca, as discussed above, discloses that camera data is sent by telephone when a security event occurs. Thus, one of ordinary skill in the art would not have combined the wireless communication device 100 of Kotzin with the security and control system 300 of DeGraca because Kotzin's design goal of communicating proximally first and DeGraca's design goal of only using a wide area network for security events are opposite design goals.

Further, Kotzin's design goal of seeking a proximal communication device first before using the wide area network would delay communication with emergency numbers or 3G phones as disclosed by DeGraca. Thus, the Office Action's alleged motivation of providing "fast and efficient security and surveillance" does not apply because, in the case of an

emergency number or 3G phone, the first try of Kotzin's wireless communication device 100 would necessarily fail, thus delaying successful communication rather than making communication faster and more efficient as alleged.

The applied references fail to disclose feature (1) above because DeGraca merely discloses that when a security event is detected, telephone 205 is used to dial emergency agencies, other selected telephone numbers, or 3G phones (column 5, lines 16-23). Thus, DeGraca is silent regarding any use of local wireless (proximal wireless) to transmit camera data. Because DeGraca only sends camera output of security events to a recipient telephone via a wide area network link (*id.*), even if Kotzin's wireless communication device 100 is added to the system 300 of DeGraca, only the recited first wireless communication (public call) is used. Thus, the references, even if combined as alleged, do not disclose that the second wireless communication can be used by the remote communication equipment to transmit the image data.

The applied references fail to disclose feature (2) above because the Office Action has not established a prima facie case as to why it would have been obvious to provide communications from DeGraca's cameras 201 and 202 with a higher priority than other calls. DeGraca discloses camera data can be sent by telephone in response to a security event, but does not indicate that such calls should be provided a higher priority. While the Office Action indicates that one of ordinary skill in the art would have known from the state of the art that giving priority to the communications of a specific device was known, the Office Action has provided no support why it would have been obvious to provide a higher priority specifically to the communications of cameras 201 and 202 of DeGraca. As video output of cameras 201 and 202 of DeGraca would involve a very high bandwidth requirement, it is not obvious to provide such communications with a higher priority as this would cause deterioration of the network. Further, this would render the wireless communication device

100 of Kotzin unsuitable for its intended purpose of reducing, not increasing, the network communications load, in violation of MPEP §2143.01(V).

For the foregoing reasons, Applicant requests withdrawal of the rejection.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicants invite the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: July 26, 2007

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